PATENT COOPERATION TREATY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference OP06043	FOR FURTHER ACTION	See item 4 below			
International application No. PCT/CN2006/000903	International filing date (day/month/year) 08 May 2006 (08.05.2006)	Priority date (day/month/year) 25 May 2005 (25.05.2005)			
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237					
Applicant HUAWEI TECHNOLOGIES CO., LTD.					

			•		
1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).				
2.	This REPORT consists of a total	of 4 sheets, including this co	ver sheet.		
	In the attached sheets, any refere to the international preliminary r	nce to the written opinion of teport on patentability (Chapte	the International Searching Authority should be read as a reference er I) instead.		
3.	This report contains indications	relating to the following items	:: ·		
	Box No. I Basis of the report				
	Box No. II	Priority			
Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability					
	Box No. IV	• .			
	Box No. V	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
	Box No. VI	Certain documents cited			
	Box No. VII	Certain defects in the inter	national application		
	Box No. VIII	Certain observations on the	e international application		
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).				
	`				
			Date of issuance of this report 29 November 2007 (29.11.2007)		
	The International Bure 34, chemin des Col 1211 Geneva 20, Sw	ombettes ·	Authorized officer Nora Lindner		

e-mail: pt02.pct@wipo.int

Facsimile No. +41 22 338 82 70 Form PCT/IB/373 (January 2004)

Translation

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORIT	•			
To: LU Changming			PCT	
UNITALEN ATTORNEYS A' 7th Floor, Scitech Place, No.22, Jian Gu	i		NION OF THE INTERNATIONAL	
Chao Yang District, Beijing 10000				
			PCT Rule 43 bis.1)	
		Date of mailing	06 (1 3 · 0 7 · 2 0 0 6)	
Applicant's or agent's file reference OP06043		FOR FURTHER AC	CTION see paragraph 2 below	
International application No.	International filing d	ate (day/month/year)	Priority date (day/month/year)	
PCT/CN2006/000903	_	(08.05.2006)	25.May 2005 (25.05.2005)	
International Patent Classification (IPC) or bo				
Applicant	H04M 3/30	(2006.01) i		
•	WEI TECHNOLOG	GIES CO., LTD. E	TAL	
1. This opinion contains indications relation	ng to the following ite	ms:		
Box No. I Basis of the opinio	on	:		
Box No. II Priority □ Box No. III Non-establishmen	t of opinion with rega	rd to novelty, inventive	step and industrial applicability	
☐ Box No. IV Lack of unity of in	vention ·		·	
	it under Rule 43bis.1(mations supporting su		lty, inventive step or industrial applicability;	
Box No.VI Certain documents		on statoment	·	
Box No. VII Certain defects in			-	
Box No.VIII Certain observatio	ons on the international	application	• •	
2. FURTHER ACTION				
International Preliminary Examining A	uthority ("IPEA") ex EA and the chosen IPI	cept that this does no EA has notified the Inte	considered to be a written opinion of the of apply where the applicant chooses an mational Bureau under Rule 66.1 bis(b) that	
If this opinion is, as provided above, co IPBA a written reply together, where apply of Form PCT/ISA/220 or before the expiring	propriate, with amend	ments, before the expir	A, the applicant is invited to submit to the ation of 3 months from the date of mailing nichever expires later.	
For further options, see Form PCT/ISA/2	20.			
3. For further details, see notes to Form PCT/ISA/220.				
Name and mailing address of the ISA/CN	Date of completion	of this opinion	Authorized officer	
The State Intellectual Property Office, the			1 2 2	
P.R.China 6 Xitucheng Rd., Jimen Bridge,	20.Jun.2006	(20.06.2006)	FAN Xiaohan 🗀	
Haidian District, Beijing, China 100088 Facsimile No. 86-10-62019451				

Form PCT/ISA/237(cover sheet)(April 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/CN2006/000903

Во	k No	. I	Basis of the opin	ion						•			
1.	Wi	th reg	ard to the languag	e, this opin	ion has bee	n establishe	d on the l	oasis of:					
		at	e international appl ranslation of the in nished for the purp	nternational	application	n into			(b)).	, which is	the language	e of a translat	ion
2.			ard to any nucleot n, this opinion has				disclosed	in the int	emational	application	and necessa	ry to the clain	ned
	a.		e of material a sequence listing table(s) related to		ce listing		÷	+					
	b .	for	mat of material on paper in electronic form	1 .					·				
,	C.	tim	e of filing/furnishin contained in the filed together wit furnished subseq	nternationa h the intern	ational app	lication in e							
3.		fum	ddition, in the case ished, the require lication as filed or	d statement	ts that the	information	in the	subsequer	nt or addi	tional copi	es is identic		
								٠.			•		
4.	Ad	lditio	nal comments:			-							
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		•									•		
	·.								÷				

FNI	WRITTEN OPINIC ERNATIONAL SEARC		International application No. PCT/CN2006/000903	3	
Box No. V Reas	oned statement under Ru	ıle 43 <i>bis</i> .1	i(a)(i) with regard to novelty,	inventive step or industrial applic	ability;
citat	ions and explanations sup	porting s	such statement		
1. Statement:					
Novelty (N)		Claims	1-6		YES
		Claims	NONE		NO
				*	
Inventive s	step (IS)	Claims	1-6		YES
		Claims	NONE		. NO
				•	
Industrial a	pplicability (IA)	Claims	1-6		YES
	•	Claims	NONE		NO
	nd explanations	d in this	written opinion chart:		
D1 CN1340	948A		•		•
D2 CN1536 D3 KR2003			•		
D1 disclose	s a monitoring method	and equ	ipment for state in subscri	iber line detection; D2 discloses	s an XDSL
test method; D3	discloses a method for	managin	g fault and in XDSL acces	ss section	
2. Novelty					
Since n	ot all the technical feat	ures in c	claims 1-6 are disclosed by	D1, D2, or D3 respectively. The	hus, claims

Since not all the technical features in claims 1-6 are disclosed by D1, D2, or D3 respectively. Thus, claims 1-6 meet the criteria set out in PCT Article33(2).

3. Inventive step

D1-D3 do not disclose the broadband device of the central office end capable of self-detecting and the detecting method of the independent claims 1 and 4 respectively, and the technical solutions of claims 1 and 4 can not be derived from the combination of D1-D3 either. Therefor, claims 1, 4 meet the criteria set out in PCT Article33(3).

As the same reasons, Claims 2-3, 5-6 can not be derived from the combination of D1-D3 obviously, therefore, claims 2-3, 5-6 meet the criteria set out in PCT Article33(3).

4. Industrial applicability

The device and method claimed in claims 1-6 can be applied to the industry field, Therefore, claims 1-6 meet the criteria set out in PCT Article33(4).

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Applicant HUAWEI TECHNOLOGIES CO., LTD.						

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3.	3. This report contains indications relating to the following items:				
	Box No. I	Basis of the report	·		
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	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability			
	Box No. IV	Lack of unity of inventi	no		
	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
	Box No. VI	Certain documents cited			
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	Box No. VIII	Certain observations on	the international application		
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		•			
			Date of issuance of this report 29 November 2007 (29.11.2007)		
	The International Burea 34, chemin des Colo 1211 Geneva 20, Sw	mbettes	Authorized officer Nora Lindner		
Facci	mile No. +41 22 338 82 70		e-mail: pt02 pct@wipo int		

Form PCT/IB/373 (January 2004)

发信人: 国际检索单位	_			
收信人:				
100004	PCT			
中国北京市朝阳区建外大街 22 号赛特广场 7 层 3070] ³ 国际检索单位书面意见			
北京集佳知识产权代理有限公司	(PCT 细则 43 之二 .1)			
逐长明				
	发文日(日/月/年)			
	13 · 7月 2006 (13 · 07 · 2006)			
申请人或代理人的档案号	后续行为			
OP06043 国际申请号 国际申请日(日)				
	が元代日(ロファイチ) 6(08.05.2006) 25.5 月 2005(25.05.2005)			
国际专利分类(IPC)或国家分类和 IPC 两种分类	25.5 / 1 2005 (25.05.2005)			
• •	(2006.01) i			
申请人				
华为技术有	有限公司 等			
1.本意见包括关于下列各项的内容: □ I 意见的基础 □ II 优先权 □ III 不作出关于新颖性、创造性和工业实用性的意见 □ IV 缺乏发明的单一性 □ V 按照细则 43 之二.1(a)(i)关于新颖性、创造性或工业实用性的意见; 支持这种意见的引证和解释 □ VI 引用的某些文件 □ VII 国际申请中的某些缺陷 □ VIII 对国际申请的某些意见				
 2. 后续行为 如果提出初步审查要求书,本次意见将被视为国际初步审查单位(IPEA)的一次书面意见(如果申请人选择的国际初步审查单位非本单位,而且所选国际初步审查单位已按照细则 66.1 之二(b)通知国际局将不考虑国际检索单位的书面意见时例外)。 如本书面意见被视为国际初步审查单位的书面意见,则请申请人在自 PCT/ISA/220 发文之日起 3 个月或自优先权日起 22 个月内(以后届满者为准)向国际初步审查单位提交书面答复并提交修改(如适用),详情见PCT/ISA/220 表格。 3. 详细信息请见 PCT/ISA/220 表格的说明 				
中华人民共和国国家知识产权局 (ISA/CN) 中国北京市海淀区蓟门桥西土城路 6 号 100088 20.06 月 2	9日期 受权官员 施规实 (20.06.2006) 中共日平 (25.10)5208(540			

国际申请号

PCT/CN2006/000903

I.	. 意见的基础				
		1、关于语言,制定书面意见基于:			
		☑ 申请提出时使用的语言。			
•		□ 该申请的语言译文,为了国际检索的目的提供该种语言的译文(细则 12.3(a)和 23.1(b))。			
2、	关于国	国际申请中所公开的核苷酸和/或氨基酸序列表和对所称发明的必要性,该书面意见是在下列基础上制定			
	的):			
	a.	材料的类型			
		□ 序列表			
	b.	□ 与序列表相关的表格 材料的形式			
		□ 纸件形式			
		□ 电子形式			
	ç.	提交/提供时间 包括于已提交的国际申请。 以电子形式与国际申请一起提交。 为检索之用随后提交本国际检索单位。			
3、		另外,在提交/提供了多个核苷酸和/或氨基酸序列表和/或与其相关的表格的版本或副本的情况下,提供了关于后提交的或附加的副本与已提交的国际申请中的序列表相同或未超出国际申请中序列表范围(如适用)的声明。			
4.	补	充意见			

PCT/ISA/237 表(第I栏) (2005 年 4 月)

国际申请号

PCT/CN2006/000903

٧.	按细则 43 之二. 1	关于新颖性、创造性或工业实用性的意见;支持这种意见的引证和解释	
1.	意见		
	新颖性(N)	权利要求 1-6	是
		权利要求 无	杏
			•
	创造性(IS)	权利要求 1-6	是
		权利要求 无	否
	工业实用性(IA)	权利要求 1-6	是
		权利要求 无	杏

2. 引证和解释

- 1. 本书面意见引用以下对比文件:
- D1 CN1340948A
- D2 CN1536861A
- D3 KR2003052402A
- D1 公开了一种用户线路测试中的状态监视方法和设备; D2 公开了一种 XDSL 的测试方法, D3 公开了一种在 XDSL 接入部分中管理故障的方法。
- 2. 新颖性

对比文件 D1-D4 均未公开权利要求 1-6 的全部技术特征,因此权利要求 1-6 具备新颖性,符合 PCT 第 33(2)的规定。

3. 创造性

D1-D3 均没有公开独立权利要求 1、4 的具有自检功能的局端宽带设备和方法, 而且 D1-D3 的组合也不能显而易见地获得权利要求 1、4 的技术方案, 因此, 权利要求 1、4 具备创造性, 符合 PCT 条约第 33(3)的规定。

同理, D1-D3 的组合不能显而易见地获得权利要求 2-3, 5-6 的技术方案, 因此, 权利要求 2-3, 5-6 具备创造性, 符合 PCT 条约第 33 (3) 的规定。

4. 工业实用性

权利要求 1-6 要求保护具有自检功能的局端宽带设备可以在工业上使用,因此,权利要求 1-6 具备工业实用性,符合 PCT 条约第 33(4)的规定。

PATENT COOPERATION TREATY

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(PCT Rule 44bis)

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	Box No. I	Basis of the report			
	Box No. II	Priority	,		
	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability			
	Box No. IV	Lack of unity of invention			
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	Box No. VI	Certain documents cited			
	Box No. VII	Certain defects in the inter	national application		
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	·				
	•	<u> </u>	Date of issuance of this report 29 November 2007 (29.11.2007)		
	The International Bure		Authorized officer		
	34, chemin des Colo		Nora Lindner		

e-mail: pt02.pct@wipo.int

Facsimile No. +41 22 338 82 70 Form PCT/IB/373 (January 2004) 发信人: 国际检索单位 收信人: **PCT** 100004 中国北京市朝阳区建外大街 22 号赛特广场 7 层 30703 国际检索单位书面意见 北京集佳知识产权代理有限公司 (PCT 细则 43 之二 .1) 逯长明 发文日(日/月/年) 13 · 7月 2006 (13 · 07 · 2006) 申请人或代理人的档案号 后续行为 OP06043 见下面第2段 国际申请号 国际申请日(日/月/年) 优先权日(日/月/年) PCT/CN2006/000903 08.5 月 2006 (08.05.2006) 25.5 月 2005 (25.05.2005) 国际专利分类(IPC)或国家分类和 IPC 两种分类 H04M 3/30 (2006.01) i 申请人 华为技术有限公司 等 1.本意见包括关于下列各项的内容: Ι 意见的基础 \boxtimes 优先权 П III 不作出关于新颖性、创造性和工业实用性的意见 IV 缺乏发明的单一性 \boxtimes . **V** 按照细则 43 之二.1(a)(i)关于新颖性、创造性或工业实用性的意见; 支持这种意见的引证和解释 VI 引用的某些文件 VII 国际申请中的某些缺陷 VIII 对国际申请的某些意见 2. 后续行为 如果提出初步审查要求书,本次意见将被视为国际初步审查单位(IPEA)的一次书面意见(如果申请人选择的国 际初步审查单位非本单位,而且所选国际初步审查单位已按照细则 66.1 之二(b)通知国际局将不考虑国际检索 单位的书面意见时例外)。 如本书面意见被视为国际初步审查单位的书面意见,则请申请人在自 PCT/ISA/220 发文之日起 3 个月或自优先 权日起 22 个月内(以后届满者为准)向国际初步审查单位提交书面答复并提交修改(如适用),详情见 PCT/ISA/220 表格。 3. 详细信息请见 PCT/ISA/220 表格的说明 完成本意见的日期 受权官员 中华人民共和国国家知识产权局 (ISA/CN) 20.06 月 2006 (20.06.2006) 中国北京市海淀区蓟门桥西土城路 6 号 100088 传真号: (86-10)62019451 电话号码: (86-10)62084540

PCT/ISA/237 表(扉页) (2005 年 4 月)

国际申请号

PCT/CN2006/000903

I.	意见的基础				
	1、关于语言,制定书面意见基于:				
		\boxtimes	申请提出时使用的语言。		
			该申请的语言译文,为了国际检索的目的提供该种语官的译文(细则 12.3(a)和 23.1(b))。		
2、	关于国	国际印	申请中所公开的核苷酸和/或氨基酸序列表和对所称发明的必要性,该书面意见是在下列基础上制定		
	的	:			
	a.	材料	的类型		
			序列表		
	b.		与序列表相关的表格 4的形式		
			纸件形式		
			电子形式		
	c.	提	交/ 提 供时间		
			包括于已提交的国际申请。		
			以电子形式与国际申请一起提交。		
			为检索之用随后提交本国际检索单位。		
		·			
		•			
		-			
3	· 🗆	另夕	卜,在提交/提供了多个核苷酸和/或氨基酸序列表和/或与其相关的表格的版本或副本的情况下,提		
			了关于后提交的或附加的副本与已提交的国际申请中的序列表相同或未超出国际申请中序列表范围		
		(如适用)的声明。		
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			· ·		
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PCT/ISA/237 表(第I栏) (2005 年 4 月)

国际申请号

PCT/CN2006/000903

٧.	按细则 43 之二. 1	关于新颖性、创造性或工业实用	性的意见;支持这种意见的引	证和解释	<u> </u>
1.	意见				
	新颖性(N)	权利要求 1-6			_是
		权利要求 无			_ 否
	创造性(IS)	权利要求 1-6	<u> </u>		是
		权利要求 无			_否
	•				
	工业实用性(IA)	权利要求 1-6			_是
		权利要求 无			_ 否
			. 1		

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- D3 KR2003052402A
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3. 创造性

D1-D3 均没有公开独立权利要求 1、4 的具有自检功能的局端宽带设备和方法,而且 D1-D3 的组合也不能显而易见地获得权利要求 1、4 的技术方案,因此,权利要求 1、4 具备创造性,符合 PCT 条约第 33(3)的规定。

同理, D1-D3 的组合不能显而易见地获得权利要求 2-3, 5-6 的技术方案, 因此, 权利要求 2-3, 5-6 具备创造性, 符合 PCT 条约第 33 (3) 的规定。

4. 工业实用性

权利要求 1-6 要求保护具有自检功能的局端宽带设备可以在工业上使用,因此,权利要求 1-6 具备工业实用性,符合 PCT 条约第 33(4)的规定。

Translation

PATENT COOPERATION TREATY .

INTERNATIONAL SEARCHING AUTHORIT	Υ			
То:		PCT		
LU Changming UNITALEN ATTORNEYS AT 7th Floor, Scitech Place, No.22, Jian Gu Chao Yang District, Beijing 100004	o Men Wai Ave.,	WRITTEN OPINION OF THE INTERNATIONAL		
		Date of mailing		
		Iday/month/hepr)200	06 (1 3 · 0 7 · 2 0 0 6)	
Applicant's or agent's file reference		FOR FURTHER ACTION		
OP06043		see paragraph 2 below		
International application No.	International filing	date (day/month/year)	Priority date (day/month/year)	
PCT/CN2006/000903	08.May 2006	(08.05.2006)	25.May 2005 (25.05.2005)	
International Patent Classification (IPC) or bo	th national classifica	ation and IPC		
·	H04M 3/30	(2006.01) i		
Applicant				
· · HUAV	VEI TECHNOLO	GIES CO., LTD. E	TAL	
This opinion contains indications relating	g to the following its	ems:		
	_	CIID.		
 Box No. I Basis of the opinion Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Box No. V Reasoned statement under Rule 43bis.1(a)(i)with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Box No.VI Certain documents cited Box No. VII Certain defects in the international application Box No.VIII Certain observations on the international application 				
2. FURTHER ACTION				
If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.				
For further options, see Form PCT/ISA/220.				
3. For further details, see notes to Form PCT/ISA/220.				
Name and mailing address of the ISA/CN	Date of completion	of this opinion	Authorized officer	
The State Intellectual Property Office, the P.R.China 6 Xitucheng Rd., Jimen Bridge, Haidian District, Beijing, China 100088 Facsimile No. 86-10-62019451	20.Jun.2006	(20.06.2006)	FAN Xiaohan C FP II-7 Telephone No. (86-10)62084540	

Form PCT/ISA/237(cover sheet)(April 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/CN2006/000903

Во	x No	. 1	Basis of the opinion
1.	Wi	th reg	urd to the language, this opinion has been established on the basis of:
		a t	international application in the language in which it was filed anslation of the international application into, which is the language of a translation alshed for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2.			and to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed in this opinion has been established on the basis of:
	a.	type	of material a sequence listing table(s) related to the sequence listing
	b.		nat of material on paper in electronic form
	c.	time	of filing/furnishing contained in the international application as filed
			filed together with the international application in electronic form furnished subsequently to this Authority for the purposes of search
3.		furn	dition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or shed, the required statements that the information in the subsequent or additional copies is identical to that in the cation as filed or does not go beyond the application as filed, as appropriate, were furnished.
4.	Ad	dition	al comments:
	•		

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/CN2006/000903

Box			1(a)(i) with regard to novelty, inventive step or industrial applica	ability;
 	citations and explanations su	pporting	such statement	
1.	Statement:			1776
1	Novelty (N)	Claims	1-6	YES
		Claims	NONE	МО
	• .			
	Inventive step (IS)	Claims	1-6	YES
		Claims	NONE	NO
'				
	Industrial applicability (IA)	Claims	1-6	YES
		Claims	NONE	NO
	0			
2.	•		multion animies shows	
'	1. Following documents are cited	a in this	written opinion cnart:	
	D1 CN1340948A			
	D2 CN1536861A		·	
	D3 KR2003052402A			. VEGT
			nipment for state in subscriber line detection; D2 discloses	an XDSL
tes	•	managir	ng fault and in XDSL access section	
	2. Novelty			•
			claims 1-6 are disclosed by D1, D2, or D3 respectively. The	us, claims
	1-6 meet the criteria set out in PCT	`Article3	33(2).	
	3. Inventive step			_
1			d device of the central office end capable of self-detection	
detecting method of the independent claims 1 and 4 respectively, and the technical solutions of claims 1				
	can not be derived from the combi	nation o	f D1-D3 either. Therefor, claims 1, 4 meet the criteria set	out in PCT
	Article33(3).			
	As the same reasons, Claims	s 2-3, 5	3-6 can not be derived from the combination of D1-D3	obviously,
	therefore, claims 2-3, 5-6 meet the	e criteria	set out in PCT Article33(3).	
	4. Industrial applicability			
		ned in cl	aims 1-6 can be applied to the industry field, Therefore,	claims 1-6
	meet the criteria set out in PCT Ar			
			•	
	•			